

Article - Estates and Trusts

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§5–404.

(a) (1) A hearing for judicial probate is a plenary proceeding conducted in accordance with the provisions of § 2–105 of this article.

(2) A hearing for judicial probate shall adjudicate the issues raised in the hearing and shall determine the testamentary capacity of the decedent if the decedent died testate.

(3) After the hearing for judicial probate the court shall appoint one or more personal representatives and shall, if appropriate, revoke, modify, or confirm action taken at the administrative or any prior judicial probate.

(b) Unless the court shall otherwise order, the examination of the witnesses to the will shall be conducted by the court.

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